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Counsel for Plaintiff

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

STATE OF UTAH,	)	No. CV-10-4743 SI
	)	
Plaintiff,	)	DECLARATION OF STEVE W. BERMAN
	)	IN SUPPORT OF THE STATE OF UTAH'S
v.	)	OPPOSITION TO MCKESSON'S MOTION
	)	TO DISMISS FIRST AMENDED
MCKESSON CORPORATION,	)	COMPLAINT
	)	
Defendant.	)	Hearing Date: April 8, 2011
	)	Time: 9:00 a.m.
	)	Courtroom: 10, 19th Floor
	)	The Honorable Susan Illston
	)	Date Action Filed: Oct. 20, 2010

1 I, Steve W. Berman, declare:

2 1. Attached hereto as Exhibit A is a true and correct copy of McKesson's third quarter  
3 2009 10-Q Report (relevant pages only).

4 2. Attached hereto as Exhibit B is a true and correct copy of a January 31, 2011  
5 McKesson Press Release (relevant pages only).

6 3. Attached hereto as Exhibit C is a true and correct copy of the Declaration of  
7 Raymond S. Hartman, Impact and Cost Savings of the First Databank Settlement Agreement filed  
8 in *New England Carpenters v. First Databank*, No.: 1:05-cv-11148-PBS (D. Mass.) (Dkt. No. 157)  
9 (relevant pages only).

10 4. Attached hereto as Exhibit D is a true and correct copy of the Declaration of Steve  
11 W. Berman in Support of Plaintiffs' Motion for An Award of Attorneys' Fees, Reimbursement of  
12 Expenses and Compensation to the Named Plaintiffs filed in *New England Carpenters v. First*  
13 *Databank*, No.: 1:05-cv-11148-PBS (D. Mass.) (Dkt. No. 762) (relevant pages only).

14 5. Attached hereto as Exhibit E is a true and correct copy of Douglas County  
15 Plaintiffs' Notice of Partial Withdrawal of Plaintiffs' Motion to Certify filed in *In re McKesson*,  
16 No.: 1:08-cv-10843-PBS (D. Mass.) (Dkt. No. 106).

17 6. Attached hereto as Exhibit F is a true and correct copy of McKesson's  
18 Memorandum in Support of Defendant McKesson Corporation's Motion to Dismiss Complaint  
19 filed in *New England Carpenters v. First Databank*, No.: 1:05-cv-11148-PBS (D. Mass.) (Dkt. No.  
20 9) (relevant pages only).


21 7. Attached hereto as Exhibit G is a true and correct copy of a December 1, 2005  
22 Order in *New England Carpenters v. First Databank*, No.: 1:05-cv-11148-PBS (D. Mass.) (Dkt.  
23 No. 27).

24 8. Attached hereto as Exhibit H is a true and correct copy of a March 18, 2008  
25 electronic Order denying motion to dismiss in *New England Carpenters v. First Databank*, No.:  
26 1:05-cv-11148-PBS (D. Mass.).

27 9. Attached hereto as Exhibit I is a true and correct copy of a Memorandum and Order  
28 dated March 4, 2011 in *In re McKesson*, No.1:08-cv-10843-PBS (D. Mass.).

1 I declare, under penalty of perjury of the laws of the United States, that the foregoing is true  
2 and correct to the best of my knowledge.

3 Executed this 4th day of March, 2011 in Seattle, Washington.

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6 Steve W. Berman  
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